

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

Abingdon DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

MAR 15 2017

JULIA C. DUDLEY, CLERK
BY: [Signature]
DEPUTY CLERK

Melinda Scott

Plaintiff(s),

v.

Andrew Carlson

Defendant(s).

(Enter the full name(s) of ALL parties in this lawsuit.
Please attach additional sheets if necessary).

Civil Action No.: 1:17CV11
(To be assigned by Clerk of District Court)

COMPLAINT

PARTIES

1. List all Plaintiffs. State the full name of the Plaintiff, address and telephone number. Do the same for any additional Plaintiffs.

a. Plaintiff No. 1

Name: Melinda Scott

Address: PO BOX 1133 Richmond, VA 23218

Telephone Number: _____

b. Plaintiff No. 2

Name: _____

Address: _____

Telephone Number: _____

2. List all Defendants. State the full name of the Defendant, even if that Defendant is a government agency, an organization, a corporation, or an individual. Include the address where each Defendant may be served. Make sure that the Defendant(s) listed below are identical to those contained in the above caption of the complaint.

a. Defendant No. 1

Name: Andrew Carlson

Address: _____

b. Defendant No. 2

Name: _____

Address: _____

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.

Check here if additional sheets of paper are attached: ☐

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.c., 2.d., etc.).

JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case. Federal courts also have jurisdiction over cases where the United States is a Defendant.

3. What is the basis for federal court jurisdiction?

☐ Federal Question

☒ Diversity of Citizenship

☐ Government Defendant

4. If the basis for jurisdiction is Federal Question, which Federal Constitution, statutory or treaty right is at issue? List all that apply.

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff No. 1: Melinda Scott State of Citizenship: Virginia

Plaintiff No. 2: _____ State of Citizenship: _____

Defendant No. 1: Andrew Carlson State of Citizenship: New York

Defendant No. 2: _____ State of Citizenship: _____

Attach additional sheets of paper as necessary and label this information as paragraph 5. Check here if additional sheets of paper are attached. ☐

STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Do not give any legal arguments or cite cases or statutes. Each paragraph must be numbered separately, beginning with number 6. Please write each single set of circumstances in a separately numbered paragraph.

6. The defendant is distributing
videos which belong to my
business without my consent.
The defendant is distributing
videos with my company logo.
- _____

Attach additional sheets of paper as necessary and label them as Additional Facts and continue to number the paragraphs consecutively. Check here if additional sheets of paper are attached. ☐

REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

I would like the Court to Order the Defendant to remove all videos from YouTube which belong to me and my business. I am asking for statutory damages in the amount of \$750 per day, per video. I would like the Court to also order the removal of any other written material he distributes that belongs to me and my business. I am asking for statutory damages for any more Copyright Infringements that occur between the date of this pleading and a future hearing.

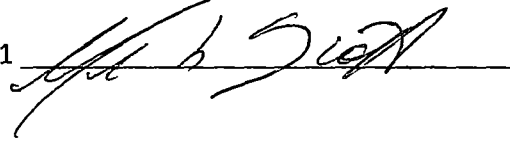
DEMAND FOR JURY TRIAL:

☐ YES

☒ NO

Signed this 6 day of March, 2017.

Signature of Plaintiff No. 1



Signature of Plaintiff No. 2

NOTE: All Plaintiffs named in the caption of the complaint must date and sign the complaint. Attach additional sheets of paper as necessary.